

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**WILEY ZACHARY CARROLL**

**PLAINTIFF**

**V.**

**NO. 3:16-CV-260-DMB-JMV**

**TIPPAH COUNTY, et al.**

**DEFENDANTS**

**ORDER**

On October 23, 2017, United States Magistrate Judge Jane M. Virden issued a Report and Recommendation recommending that “this action be dismissed against Tippah County because no conduct chargeable to the County for purposes of § 1983 is alleged or may be inferred from the facts asserted in the complaint.” Doc. #24. The Report and Recommendation warned:

[O]bjections [to the Report and Recommendation] are required to be in writing and must be filed within fourteen (14) days of this date. Failure to timely file written objections to the proposed findings, conclusions and recommendations contained in this report will bar an aggrieved party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court.” *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (5th Cir. 1996).

*Id.* at 5.

On October 23, 2017, the Report and Recommendation was mailed to Carroll at his last known address. To date, no objections to the Report and Recommendation have been filed. Accordingly, this Court’s review of the Report and Recommendation is limited to plain error. *Morales v. Mosley*, No. 3:13-cv-848, 2014 WL 5410326, at \*2 (S.D. Miss. Oct. 22, 2014) (citing *Shelby v. City of El Paso*, 577 F. App’x 327, 331 (5th Cir. 2014)) (“When there has been no objection to a report and recommendation, review is limited to plain error.”).

The Court has reviewed the Report and Recommendation and found no plain error. Therefore:

1. The October 23, 2017, Report and Recommendation [24] is **ADOPTED** as the opinion of the Court.
2. Tippah County's motion to dismiss [19] is **GRANTED** and Carroll's claims against Tippah County are **DISMISSED**.
3. This case is **CLOSED**.

**SO ORDERED**, this 5th day of March, 2018.

/s/Debra M. Brown  
**UNITED STATES DISTRICT JUDGE**